

SEC. 3. That said board of special commissioners shall have power and authority to condemn any lands along the line of said road, and over which it passes, and if the owner or owners of any of said condemned land shall consider himself injured by the action of said board, it shall be competent for such person or persons to apply by petition to the board of county commissioners of the county in which such injury is done, praying for a jury of not more than twelve nor less than three to view the premises and assess the damages sustained; and it shall be the duty of said county commissioners to have said jury summoned by the sheriff of the county to appear upon said premises within ten (10) days after the meeting at which said petition is filed, who, after being sworn by said sheriff to faithfully discharge their duty, shall proceed to assess the injury sustained by such person, considering the advantage to the land as well as the injury resulting from the making of said road; and upon report of said jury, made to and confirmed by said board of county commissioners, the damage shall be paid by said board of county commissioners out of any fund provided by them for said purpose: *Provided*, that either said board of special commissioners or said injured party may appeal to the superior court from the confirmation of said report, and such appeal shall be governed by the general law.

Commissioners
empowered to con-
demn land.

How damage to
land owner to be
assessed.

How damages
paid.

Proviso.

SEC. 4. The board of directors of the penitentiary of North Carolina are authorized and directed to turn over to the said board of special commissioners twenty-five (25) able-bodied convicts to be worked on the construction of said road, whenever, within the next twelve months, the chairman of said board of special commissioners shall apply for the same and exhibit a certificate from the chairman of the board of commissioners of Jones and Onslow counties that they have made ample provisions to feed, clothe, shelter, medicine and guard said convicts, or shall present other good and sufficient security that said convicts shall be properly fed, clothed,

Penitentiary board
to furnish con-
victs.